

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 12942 of 2004

Between:

SulemanShairff S/o Late Hussain Shairff
Supervisor (O) Telegraph Office Punjagutta, Hyderabad-500082, now at
H.No.9-11-179/A, Arba Basti, Golconda fort, Hyderabad, 500008

..... PETITIONER

AND

- 1 The Principal General Manager, Telecom District, Hyderabad-500001
- 2 The Chief General Manager, Telecom AP.Circle, Hyderabad-500001
- 3 TheSuperintendent in charge, Central Telegraph Office, Hyderabad -500001
- 4 The Secretart, Department of Telecom, Union of India, Sanchar Bhavan, New Delhi-110001
- 5 The Chairman & Manager Director, Bharat Sanchar Nigam Ltd., New Delhi.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to isuse a writ, order or direction more in the nature of Mandamus calling for the relevent records to the impunged order no.E84/BCR/16/02-03 dt. 31/12/2002(Annexur-P.II) issued by R-1 Promoting him under the BCR Scheme from 01/07/2002 instead of from the due of 26/05/2002 which is arbitrary and illeal and inviolation of the rules and law and Art. 14 and 16 of the Constitution of India and direct R-1 to promote him from 26/05/2002 as per rules and law, with all consequential monetary benefits such as arrears of pay and allowances, pensions, DCRG., commutation of pension, encashment of leave

Counsel for the Petitioner:MR.T.V.V.S.MURTHY, Advocate

Counsel for the Respondents: K.Narahari, Addl.Standing Counsel for BSNL

The Court at the stage of admission made the following :

ORDER:

The Petitioner is a retired Senior Section Supervisor in Telegraph Office, Hyderabad, under the control of respondents 1 and 2. The 1st respondent issued orders on 31-12-2002 giving him promotion under the Biennial Cadre Review (BCR) scheme through the proceedings dated 31-12-2002 with effect from 01-07-2002.

The petitioner contends that he is entitled to get promotion with effect from 23-05-2002 and not from 01-07-2002. He retired from service on 30-06-2003. He made a representation to the 1st respondent on 20-01-2003, to promote him under the BCR Scheme with effect from 23-05-2002 instead of from 01-07-2002. The grievance of the petitioner is that the 1st respondent did not pass any orders on the said representation and it is pending since long time. Keeping in view the representation of the petitioner, the respondents 1 and 2 are directed to pass appropriate orders on the representation of the petitioner dated 20-01-2003, regarding his request for promotion with effect from 23-05-2002 instead of 01-07-2002, according to the Rules, within two months from the date of receipt of a copy of this order and communicate the same to the petitioner.

The writ petition is accordingly disposed of. No costs.

28-07-2004

mjl/*

To

- 1 The Principal General Manager, Telecom District, Hyderabad-500001
- 2 The Chief General Manager, Telecom AP.Circle, Hyderabad-500001
- 3 The Superintendent in charge, Central Telegraph Office, Hyderabad -500001
- 4 The Secretariat, Department of Telecom, Union of India, Sanchar Bhavan, New Delhi-110001
- 5 The Chairman & Manager Director, Bharat Sanchar Nigam Ltd., New Delhi.
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